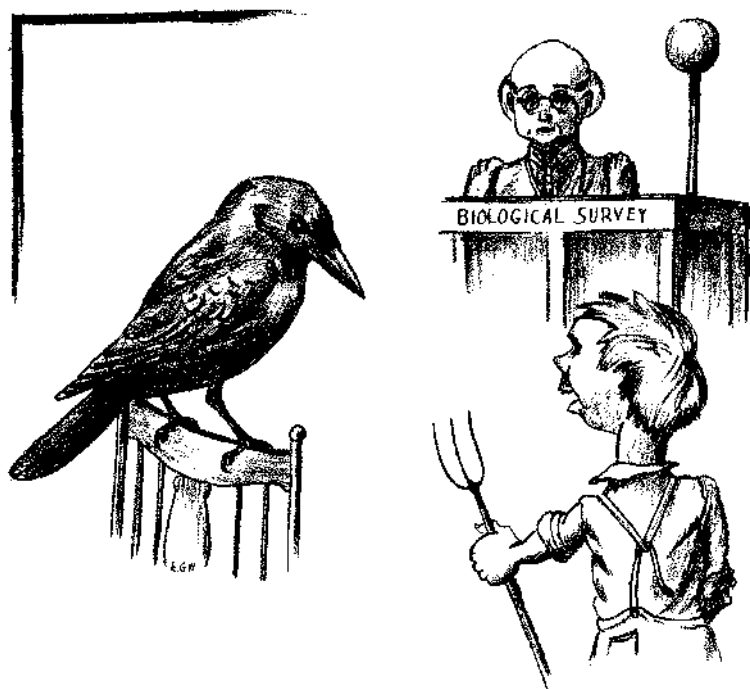


THE PEOPLE VS. CORVUS

by

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ALTHOUGH it is not generally known, the United States government maintains a bird court. The court is called the Biological Survey and it is a Bureau of the Department of Agriculture. It collects its evidence carefully and its decisions are accepted as final. Some years ago the whole Corvus family was arraigned and tried for its life before this court.

On behalf of the crow I plead the defense of "double jeopardy." He has already been tried by the bird court and on no count of the indictment has he been condemned to death.

As for man himself, he insists that he shall not be put in jeopardy twice for the same offense but he is not willing to extend the protection of this principle of the law to the friendless crow. If it be replied that it is a new and different crow in each case and that, therefore, the rule of "double jeopardy" does not apply, it may be answered that at least the doctrine of *stare decisis* is applicable and the decision of the Biological Survey should be followed in each case. But regardless of these wholesome principles of the law, man periodically rises and demands the extermination of the entire crow family.

But the old earth was not made for man alone. He is just one of nature's experiments, like the crows. He is no more entitled to what he can get than the crow is. Each has his right to existence. In his life struggle man attacks the crow but he should not carry the fight to the point of extermination because, after all, the crow has a right to live or he would not be here.

At one time the farmers of the west killed large numbers of hawks because of their supposed depredations among young chickens. Shortly thereafter these same farmers were overwhelmed with prairie dogs. The same bird court, the Biological Survey, was called in and it promptly informed the farmers of the mistake they had made.

As already stated, the Biological Survey in hearing the charges against any bird, takes infinite pains to get at the facts and upon the trial of the Corvus family the evidence presented by the prosecution was about as follows : It was shown that the crow was very fond of corn and frequently went up and down the corn rows, pulling up and eating the swollen kernels which had been planted. It was also shown that it ate corn which had partially matured in the ear, causing some of it to spoil, and that it also stole corn from the shock.

It was further shown that the crow was particularly fond of the eggs of domestic fowls and also of other birds and would frequently break up nests and sometimes even eat the young of other birds. Attention was even called to the fact that the crow presented a melancholy appearance and, therefore, should be regarded as an evil omen.

At about this stage the prosecution rested and the court began a careful investigation of the charges made. In order to do this thoroughly a field force was sent out for the purpose of collecting crows in order that experts might examine their stomachs and learn exactly what they ate. Over two thousand crow stomachs were examined carefully over a period of five years. This investigation showed that the crow did eat large quantities of corn and that in some sections of the country it annoyed the farmer greatly but that most of the harm it did to the corn crop could be remedied by replanting. It was admitted that the charge as to damage done to the eggs and nests of other birds was true.

The examination of the crows' stomachs, however, revealed the presence of many insects. It appeared that they eat many grubs and beetles and vast quantities of grasshoppers and the court knew that it is always a close race between the grass and grasshoppers as to which will survive. The stomachs also contained many caterpillars and it was found that this insect was a favorite food for baby crows. Great quantities are fed the young while they are in the nests and it was estimated that every little crow eats three times its weight in caterpillars during the time that it is being fed by its parents.

Upon this evidence the Biological Survey, sitting as a Federal bird court, refused to condemn the crow to death. The answer was, and still is, that the crow is a local problem. The benefits which he brings to man are general, especially in the eating of large quantities of insects, but the damage which he does is limited to certain areas. The corn farmer is justified in killing a crow (when he can !) and in the corn growing sections of the country the *Corvus* family should not be permitted to become too numerous. As everyone knows, there are vast areas where no corn is grown, and in these sections of the country the crow is of great benefit to man.

If the partial destruction of crops is to mark a bird for capital punishment, then many of our favorites are doomed. The robin, which is unquestionably one of America's favorite birds, does heavy damage to cherries and other growing fruit. The bobolink, so much admired in the north, is a heavy destroyer of rice in the southern fields and is there regarded as a nuisance. Even the little house wren, the pet of almost every dooryard, is a pernicious destroyer of the eggs of other birds.

Man, in his vanity, considers many things which nature produces as his exclusive property. All things were not made for man. If this were so, it would be difficult to account for rattlesnakes, poison ivy, and a thousand other things which are of little use to man.

I once heard of a Massachusetts gentleman who maintained his cherry trees for the exclusive benefit of the robins. If they did not eat all of the cherries, he took what was left. He considered the fruit more valuable as food for the robins than for any other purpose. It all depends upon the point of view.

Mischievous birds that steal grain or fruit always incur the enmity of that class of conscientious people who cut down their fruit trees that the boys may not be tempted to break the eighth commandment.

The respect shown to birds by any people seems to bear a certain ratio to the antiquity of the nation. The rook, which is the European representative of the *Corvus* family, is protected by the farmers because of his destruction of insects which are far more harmful than birds. Birds are regarded as sacred in Japan, where the population is so dense that the inhabitants would not consent to divide the products of their field with the feathered race unless their usefulness has been demonstrated.

Robert Burns Wilson even makes the crow the subject of a graceful and befitting sonnet :

*"Bold, amiable, ebon outlaw, grave and wise!
For many a good green year has thou withstood--
By dangerous, planted field and haunted wood--
All the devices of thine enemies,
Gleaning thy grudging bread with watchful eyes
And self-relying soul. Come ill or good,
Blithe days thou see'st thou feathered
Robin Hood!
Thou mak'st a jest of farmland boundaries. T
ake all thou may'st, and never count it crime
To rob the greatest robber of the earth,
Weak-visioned, dull, self-lauding man,
whose worth
Is in his own esteem. Bide thou thy time;
Thou knowest far more of Nature's lore than he,
And her wise lap shall still provide for thee."*

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